

SECOND REGULAR SESSION

HOUSE BILL NO. 1686

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARDWICK.

3452H.01I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 191 and 292, RSMo, by adding thereto two new sections relating to refusal of medical procedures or treatment.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 191 and 292, RSMo, are amended by adding thereto two new sections, to be known as sections 191.230 and 292.648, to read as follows:

191.230. 1. No public body as defined in section 290.210, political subdivision, public school district, public institution of higher education, state department or agency, public official, peace officer, or any person appointed by the governor acting in an official and public capacity under such appointment shall:

(1) Require any person to receive a COVID-19 vaccination; or

(2) Condition any action, benefit, consequence, service, employment, enrollment, or any other thing of value on whether a person has received a COVID-19 vaccination.

2. Any order issued by a body or official described in subsection 1 of this section that violates the provisions of this section shall be void and unenforceable.

292.648. 1. For purposes of this section, the following terms mean:

(1) "Employer", the same meaning given to the term in section 213.010;

(2) "Medical treatment", any drug, medicine, synthetic substance, or therapy, whether therapeutic or preventive, that is fully approved or granted an emergency use authorization by the United States Food and Drug Administration (FDA) or pending approval by the FDA or that would require approval from the FDA to be sold or prescribed to the general public.

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 **2. An employee shall be exempt from an employer's requirement to receive**
9 **medical treatment as a condition of employment and shall not be subject to adverse**
10 **action by the employer, including loss of pay or termination of employment, for**
11 **declining to receive the medical treatment if:**

12 **(1) The employee claims a religious or conscientious objection to the required**
13 **medical treatment in a written document submitted to the employer;**

14 **(2) The employee has received a recommendation from a licensed physician**
15 **based on the employee's unique and individual medical situation advising the employee**
16 **not to receive the required medical treatment on the basis that the medical treatment is**
17 **medically unnecessary, likely to be harmful to the employee, or is not in the best medical**
18 **interest of the employee for other specified reasons; or**

19 **(3) An alternative to the required medical treatment is available that would be**
20 **sufficient to ensure the reasonable safety of other employees and any customers with**
21 **whom the employee interacts.**

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